

Notice of Allowability

Application No.

09/284,816

Examiner

Arthur L. Corbin

Applicant(s)

MALCORPS ET AL.

Art Unit

1761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04-05-06 Appeal Brief.
2. ☒ The allowed claim(s) is/are 40-45,47,48,50,52-56,58-65 (renumbered 1-22).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 062106.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Barry Kelmachter on June 21, 2006.

2. In claim 40 (renumbered 1): line 2, before "steps" add - - the - -; line 3, add a comma after "wort"; line 5, change "pectin E440" to - - amidated pectin to the wort, prior to the cooling the wort, or to the beer - -; line 7, change "pectin E440" to - - amidated pectin - - and cancel "predetermined"; line 11, change "haze" to - - irreversible haze in the beer - -; line 12, cancel "of"; line 13, after "haze" add - - in the beer - -; line 15, cancel "respective"; and lines 16-17, change "over...of" to - - during - -. In each of claims 43-45 (renumbered 4-6), last line, immediately before the period, add - - of wort or beer - -. In claim 47 (renumbered 7), lines 3-4, change "in an inverse proportion" to - - inversely - - and line 5, change "dependant on" to - - to be dependent upon - -. In claim 48 (renumbered 8), lines 2-3, cancel "a nature and". Cancel claims 49, 51 and 57. In claim 50 (renumbered 9): line 2, before "from" add - - prepared - -; line 4, change "pectin" to - - amidated pectin to the wort - -; lines 4-5, change "during said preparing step" to - - to inhibit coagulation and precipitation of proteins and - -; and line 6, after "wort" add - - after addition of the pectin - -. In each of claims 52-54 and 58-60

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(renumbered 10-12 and 15-17, respectively) last line, immediately before the period, add - - of wort - -. In both claims 55 and 61 (renumbered 13 and 18, respectively), line 4, cancel "or of beer". In claim 56 (renumbered 14), line 4, change "pectin" to - - amidated pectin to the wort - - and lines 4-5, change "during said preparing step" to - - to inhibit coagulation and precipitation of proteins and - -. In both claims 62 and 63 (renumbered 19 and 21, respectively): line 3, add a comma after "wort"; line 5, change "pectin E440" to - - amidated pectin to the wort, prior to cooling the wort, or to the beer - -; line 7, change "pectin E440" to - - said amidated pectin - -; lines 11 and 12, after "haze" add - - in the beer - -; line 12, cancel "of"; line 15, cancel "respective"; and line 16, change "over...of" to - - during - -. In both of claims 64 and 65 (renumbered 20 and 22, respectively), line 1-2, change "further comprising" to - - including - -.

3. On a separate page, after all of the claims, add:

- - ABSTRACT

A method of preparing beer from beer wort including adding amidated pectin to the wort or beer to inhibit coagulation and precipitation of proteins and to obtain a haze in the beer. - -.

4. The title of the application is amended to read: - - Method For Preparing Beer - -.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur L. Corbin whose telephone number is (571) 272-1399. The examiner can normally be reached on Monday-Friday from 10:30 AM to 8:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton I. Cano, can be reached on (571) 272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Arthur L Corbin
Primary Examiner
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6-21-06